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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,673	02/07/2002	Viktor Kaptelinin		7150
Victor Kaptelinin Mariehemsvagen 13A Umea, 90654 SWEDEN				
			EXAMINER	
			HUYNH, BA	
			ART UNIT	PAPER NUMBER
			2179	
			MAIL DATE	DELIVERY MODE
			09/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/067,673	KAPTELININ, VIKTOR	
	Examiner	Art Unit	
	Ba Huynh	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,5,6,14-18,26-28 and 2024 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,5,6,14-18,26-28 and 2024 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/9/07 has been entered.

Effective Filing Date

2. The applicant indicates that July 13, 2000 is the effective filing date of the pending application. However there is no evidence in the record showing that the applicant is claiming this July 13, 2000 effective filing date. It is respectfully request that the applicant to provide evidences of such claiming. The applicant may also re-submit priority paper claiming the effective filing date. The applicant may also overcome this rejection by filing an affidavit or declaration under 37 CFR 1.131 showing a date of invention prior to the effective filing date 12/16/1999 of the Simonson reference. The declaration should be accompanied with evidences showing diligence.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3, 5, 6, 14-18, 20, 24, 26-28 rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6,803,930 (Simonson).

- As for claims 3, 20, 27: Simonson teaches a computer implemented method and corresponding apparatus for displaying information in a window on a display device, the window displays only part of its related information, comprising the steps/means for:
 - providing a window for displaying a portion of a document (fig 8, 10-14),
 - providing scrollbar for scrolling the window,
 - displaying in the window a first portion (called portion A) of the document,
 - scrolling the window to a second portion (called portion B) of the document (the first portion A become a “previously viewed portion”, and the second portion B become “the newly presented portion” after scrolling. See 2:23-33, 9:33-35. Note that the term “previously viewed portion” implies the actual display of document portion for user viewing, i.e., the user actually spends time to view the displayed information, as oppose to successively displaying of disjoint portions in scroll through),
 - causing a visual clues (1001, 1010, 1020, 1030, 1102, 1112, 1201, 1202, 1304),
 - visually distinguishing information that overlaps from the first portion A and any new information that does not overlap from the first portion, to be displayed in the window after scrolling from the first portion A to the second portion B so that the

distinguishing visual clues do not obstruct the view of the new information (see description of figures 10-14), and disable the visual clues after a first predetermined amount of time (9:27-32; 10:1-7). Simonson further teach *an improvement* such that the displaying of the visual clues is delayed until the newly presented portion B is displayed for more than a predetermined amount of time. The improvement help to avoid persistent background tinting of the previously display content which causes user distraction when scrolling quickly through the content. Thus Simonson fails to clearly teach displaying of the visual clue **if and only if** it is determined that the previously displayed portion had been displayed for more than a predetermined amount of time (i.e., without considering how long the newly presented portion has been displayed). However, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the displaying of the visual clue **if and only if** it is determined that the previously displayed portion A had been displayed for more than a predetermined amount of time to Simonson. Motivation of the combining is for avoiding the time delay.

- As for claims 5-6: The visual clues provide visual de-emphasis and visual emphasis (9:23-10:7).
- As for claim 14: The visual clues provide visual de-emphasis and visual emphasis at a rectangular user focus area bounding a line or several lines (9:35-41).
- As for claim 15: The document can be scrolled in line-by-line increment toward the top or bottom of the window, wherein the Y coordinate of the screen pointer is equal to the Y coordinate of the bottom/top of the effective area (2:42-3:42).

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- As for claim 16: The user may define an effective area by using cursor input device (8:15-32).
- As for claims 17, 26: The user may specify the parameter of the visual clues. The parameters include time threshold, display attributes, etc... (8:15-32).
- As for claim 18: The window is resizable. The visual clues adjusted to the size of the window (11:14-21).
- As for claim 24: The markers are displayed responsive to detected scrolling input event, direction, scrolling increment (see explanation of figures 10-14).
- As for claim 28: The directional visual clues are enabled when the second portion is the last portion of the window related information (9:3-13).

NOTE: The entire disclosures of the cited references should be considered. The cited references are in no way limited by the row and column citations above.

Response to Arguments

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

REMARKS:

Simonson teaches *an improvement* such that the displaying of the visual clues is delayed until the newly presented portion B is displayed for more than a predetermined amount of time. The improvement help to avoid persistent background tinting of the previously display content which causes user distraction when scrolling quickly through the content. Thus the visual

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clue will not be displayed if the newly presented portion is not the intended target, such as in disjoint scrolling. In contrast, in the applicant's invention, the visual clue is displayed regardless whether the newly presented portion is the intended portion or not. This distraction is what Simonson trying to improve. Thus Simonson fails to clearly teach displaying of the visual clue **if and only if** it is determined that the previously displayed portion had been displayed for more than a predetermined amount of time (i.e., without considering how long the newly presented portion has been displayed). However, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the displaying of the visual clue **if and only if** it is determined that the previously displayed portion A had been displayed for more than a predetermined amount of time to Simonson. Motivation of the combining is for avoiding the time delay, with the suffering of distraction.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The formal fax number is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
9/9/07

BA HUYNH
PRIMARY EXAMINER